

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELI LILLY AND COMPANY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:07-cv-3770
)	(DMC) (JAD)
ACTAVIS ELIZABETH LLC, GLENMARK)	
PHARMACEUTICALS INC. USA, SUN)	
PHARMACEUTICAL INDUSTRIES LIMITED,)	
SANDOZ INC., MYLAN)	
PHARMACEUTICALS INC., APOTEX INC.,)	
AUROBINDO PHARMA LTD., TEVA)	
PHARMACEUTICALS USA, INC., SYNTHON)	
LABORATORIES, INC., ZYDUS)	
PHARMACEUTICALS, USA, INC.,)	
)	
Defendants.)	
)	
)	
)	
)	

[PROPOSED] ORDER GRANTING MOTION FOR TEMPORARY INJUNCTION

THIS MATTER having come before the Court upon the motion of Plaintiff Eli Lilly and Company (“Lilly”) by way of Lilly’s Motion for Temporary Injunction pursuant to Fed. R. Civ. P. 62(c), and the Court having considered the written submissions of the parties in support of, and in opposition to, said Motion, and the Court having heard oral argument regarding the same, and for other and good cause having been shown:

IT IS on this ____ day of _____, 2010;

ORDERED, as follows:

1. Lilly’s Motion for Temporary Injunction pending the resolution of the appeal in this case is hereby

GRANTED, and the provisions of the Order to Show Cause with Temporary Restraints entered on _____ shall remain in effect until issuance of the mandate of the Federal Circuit disposing of Lilly's appeal from this Court's final judgment in the above-captioned matter.

2. Alternatively, if the Court denies Lilly's Motion for a Temporary Injunction pending the resolution of the appeal, Lilly's Motion for a Temporary Injunction while Lilly appeals the denial of an injunction by this Court is hereby

GRANTED, and the provisions of the Order to Show Cause with Temporary Restraints issued on _____ shall remain in effect until the Federal Circuit resolves a request by Lilly for an injunction pending appeal to be filed within five (5) business days of this Order.

3. A copy of this Order shall be served upon all counsel of record within seven (7) days of the date hereof.

SO ORDERED this ____ day of _____, 2010

Hon. Dennis M. Cavanaugh, U.S.D.J.